

U.S. DISTRICT COURT
SPRINGFIELD, MA

Michael Crocker #156919
ECCF

20 MANNING Ave.
Middleton, MA 01949
October 9, 2005

Hon. Michael Ponsor
U.S. District Court
1550 MAIN ST.
Springfield, MA 01103

Re: USA v Michael Crocker CR-04-30034-MAP

Dear Judge Ponsor:

As you know, on the day of my arrest, June 23, 2004, in the Magistrate's Court, I loudly protested my innocence on the Firearm-Silencer charge and demanded of AVSA O'Regan that a Gunshot Residue Test be performed prior to ATF shooting through it in sound-level tests, thereby contaminating it themselves with Gunshot Residue. AVSA O'Regan responded, "We do not allege that you ever actually used it on a Firearm."

Throughout this case AVSA O'Regan continues to contend that the device is a Firearm-Silencer and not an Airgun-device.

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It has now come to light that the Gunshot Residue Test was never done and on June 25, 2004 ATF shot through the device, forever contaminating it with their Gunshot Residue and forever preventing me from proving to a jury that the device was never shot through before with a Firearm.

Even worse, they're lying from the witness stand claiming there's no such policy and the test could not be done anyway, apparently because they do not know how to unscrew counterclockwise a knurled end-cap.

Any impartial expert in Forensics will tell you that the importance of a Gunshot Residue Test to a Firearm-Silencer prosecution is about the same as an Autopsy Report is to a murder case. ATF does have such a written protocol requiring this test and I have read it in their Administrative Staff Manuals that were released or Court-ordered to me under the F.O.I.A.

Because of the above, and due to AUSA O'Regan's direct involvement in this, I have written Complaint-Letters to the D.O.J.'s Office of Professional Responsibility, the Board of

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BAR Overseers of the STC, and to the U.S. Attorney.

Further, I intend to call AUSA O'Regan as a witness in this case to elicit the request, the response, and the aftermath as noted above. It is all highly relevant to my innocence. No guilty person in a Firearm-Silencer case is going to demand in open court that a Gunshot Residue Test be done.

It is requested that a Pre-Trial Hearing take place pertaining to this Gunshot Residue Test issue. For one thing it needs to be determined what my remedy here is. Evidence has been destroyed and I contend, destroyed on purpose. I believe it warrants dismissal with prejudice and if not, then a stipulation that my Airgun-device was never used with a Firearm.

Even with such stipulation, I still want to introduce as evidence the fact that I requested the test, what the response was, and what the result was.

Because I am going to call AUSA O'Regan